

**347—38.8(94,95) Contracts and fee schedules.**

**38.8(1)** *Schedules furnished.* Any schedule of fees to be charged by a licensee to applicants shall be furnished to all applicants at the time of making an application with the licensee.

**38.8(2)** *Required content of all contracts.*

- a. Contracts and fee schedules shall not contain smaller than 8-point type.
- b. Contracts and fee schedules shall contain no ambiguous, false or misleading information.
- c. All contracts and fee schedules must clearly state that the agency is licensed by the labor commissioner and that inquiries may be submitted to the Division of Labor Services, 1000 East Grand Avenue, Des Moines, Iowa 50319, telephone (515)281-3606.

**38.8(3)** *Additional required content for applicant paid fee contracts.*

- a. Each applicant paid fee contract shall contain a provision limiting to one year from the date of referral the period for which a licensee may assess a placement fee for referral of that applicant to that employer.
- b. Where the licensee provides the option for advance payment, the contract and applicant paid fee schedule must clearly state that the applicant knowingly agrees to pay the fee in advance with the full understanding that the applicant is not required to do so, and that the licensee guarantees to refund any amount in excess of 15 percent of the applicant's gross earnings from that employer for which the agency procured the job for a period of time not to exceed the first 12 months from the date of employment, when ascertained. This paragraph shall not apply to those licensees exempted by Iowa Code section 94.6.
- c. All applicant paid fee contracts and fee schedules must state the fee in dollar amounts as well as percentages.

**38.8(4)** *Additional required content for entertainment enterprises.* Contracts and fee schedules of a licensee who solely furnishes or procures vaudeville acts, circus acts, theatrical, or stage or platform attractions or amusement enterprises shall contain language to that effect.

This rule is intended to implement Iowa Code sections 94.8 and 95.2.